

AMENDED IN ASSEMBLY MAY 9, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

Assembly Concurrent Resolution

No. 36

Introduced by Assembly Member Atkins

(Coauthors: Assembly Members Alejo ~~and Chávez~~ *Chávez, Achadjian, Allen, Bigelow, Bloom, Blumenfield, Bocanegra, Bonilla, Bonta, Bradford, Brown, Buchanan, Ian Calderon, Campos, Chau, Chesbro, Conway, Cooley, Dahle, Daly, Dickinson, Donnelly, Eggman, Fox, Frazier, Beth Gaines, Garcia, Gatto, Gomez, Gordon, Gorell, Gray, Grove, Hagman, Hall, Harkey, Roger Hernández, Jones, Jones-Sawyer, Levine, Linder, Lowenthal, Maienschein, Mansoor, Medina, Melendez, Mitchell, Morrell, Mullin, Muratsuchi, Nazarian, Nestande, Olsen, Pan, Patterson, Perea, John A. Pérez, V. Manuel Pérez, Quirk, Quirk-Silva, Rendon, Salas, Skinner, Stone, Ting, Torres, Wagner, Weber, Wieckowski, Wilk, Williams, and Yamada*)

(Coauthors: Senators Roth and Wolk)

March 18, 2013

Assembly Concurrent Resolution No. 36—Relative to veterans.

LEGISLATIVE COUNSEL'S DIGEST

ACR 36, as amended, Atkins. Veterans: treatment courts and treatment review calendars.

This measure would encourage all superior courts to consider establishing veterans treatment courts or veterans treatment review calendars to assist troubled veterans who have service-related mental health issues.

Fiscal committee: no.

1 WHEREAS, Historically, the State of California has honored
2 the noble sacrifices that members of the Armed Forces have made
3 to protect our freedoms by providing veterans and members of the
4 Armed Forces certain benefits and rehabilitative services; and

5 WHEREAS, California has the largest United States veteran
6 population in the nation, comprised of approximately 2 million
7 armed services veterans, which is 12.3 percent of the nationwide
8 veteran population of nearly 25 million veterans; and

9 WHEREAS, There are approximately 180,000 Operation
10 Enduring Freedom/ Operation Iraqi Freedom (OEF/OIF) theatre
11 veterans in California and 30,000 veterans are returning to
12 California each year; and

13 WHEREAS, Studies have shown that combat services may exact
14 a tremendous psychological toll on members of the Armed Forces
15 who are faced with the constant threat of death or injury over an
16 extended period of time; and

17 WHEREAS, Researchers have shown that a significant number
18 of the 1,600,000 members of the Armed Forces who have served
19 in Iraq or Afghanistan have, or will suffer from, as a result of their
20 military service, mental health injuries, such as post-traumatic
21 stress disorder, traumatic brain injury, depression, anxiety, and
22 acute stress; and

23 WHEREAS, Some studies have shown that as much as 20
24 percent of the United States veterans who served in Iraq and
25 Afghanistan are returning home with signs of post-traumatic stress
26 disorder or other mental illnesses. Traumatic brain injury often
27 accompanies post-traumatic stress disorder; and

28 WHEREAS, Both physical and mental combat-related injuries
29 often lead to the use of drugs and alcohol to cope with such injuries,
30 which often leads to encounters with the criminal justice system
31 that would not have otherwise occurred without the combat-related
32 injury; and

33 WHEREAS, The vast majority of returning members of the
34 Armed Forces do not have contact with the criminal justice system,
35 and most veterans and members of the military are well-adjusted,
36 contributing members of society, but psychiatrists and law
37 enforcement officials agree that combat-related injuries have led
38 to instances of these service members becoming involved with the
39 criminal justice system; and

1 WHEREAS, Recently, 12 percent of OIF/OEF veterans surveyed
2 reported criminal justice involvement beyond a minor traffic
3 violation. However, only 3 percent of veterans reported having
4 both knowledge of and access to veterans treatment courts, veterans
5 treatment review calendars, or diversion programs from prison
6 available pursuant to Section 1170.9 of the Penal Code; and

7 WHEREAS, A goal of veterans treatment courts and veterans
8 treatment review calendars is to reduce further criminal behavior.
9 This is done to keep troubled veterans out of prison, if they have
10 service-related mental health problems and they allege that the
11 criminal behavior resulted from these problems; and

12 WHEREAS, It is the purpose of veterans treatment courts and
13 veterans treatment review calendars in California to enhance public
14 safety by providing a judicially supervised regimen of treatment
15 intervention to serve involved veterans with unique mental health
16 conditions and other problems stemming from military service;
17 and

18 WHEREAS, As a grateful state, we must continue to honor the
19 military service of our men and women by attempting to provide
20 them with an alternative to incarceration when feasible, permitting
21 them instead to access proper treatment for mental health and
22 substance abuse problems resulting from military service; and

23 WHEREAS, The Legislature finds that it is in the best interests
24 of California citizens to assist veterans and members of the Armed
25 Forces involved in the criminal justice system who have a
26 military-related injury. In order to achieve this end, the Legislature
27 has encouraged the establishment of veterans treatment courts and
28 veterans treatment review calendars to address the unique
29 challenges veterans face as a result of their honorable service.
30 Currently there are 13 counties in California with operational
31 veterans treatment courts or veterans treatment review calendars;
32 now, therefore, be it

33 *Resolved by the Assembly of the State of California, the Senate*
34 *thereof concurring*, That the Legislature is not seeking to impart
35 mandates that would stifle innovation, but instead intends to
36 promote a framework within which the superior court in each
37 county has the flexibility to develop a constructive model that
38 works best locally to achieve positive outcomes; and be it further

39 *Resolved*, That the Legislature encourages all superior courts
40 to consider establishing veterans treatment courts or veterans

- 1 treatment review calendars within their jurisdictions to assist
- 2 troubled veterans who have service-related mental health issues
- 3 to turn their lives around by identifying them, assessing their needs,
- 4 connecting them with needed services, and managing their care;
- 5 and be it further
- 6 *Resolved*, That the Chief Clerk of the Assembly transmit copies
- 7 of this resolution to the author for appropriate distribution.